

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT F. CONNOLLY,

Plaintiff,

-against-

6:02-CV-1303 (LEK/RFT)

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

MEMORANDUM-DECISION AND ORDER

This matter comes before the Court following a Report-Recommendation filed on July 19, 2011, by the Honorable Randolph F. Treece, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3(d) of the Northern District of New York. Report-Rec. (Dkt. No. 33).

Within fourteen days after a party has been served with a copy of a Magistrate Judge's Report-Recommendation, the party "may serve and file specific, written objections to the proposed findings and recommendations," FED. R. CIV. P. 72(b), in compliance with L.R. 72.1(c). No objections have been raised in the allotted time with respect to Magistrate Judge Treece's Report-Recommendation. Furthermore, after examining the record, the Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice.

Accordingly, it is hereby:

ORDERED, that the Report-Recommendation (Dkt. No. 33) is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

ORDERED, that Defendant's Second Motion for Remand (Dkt. No. 24) is **GRANTED**; and it is further

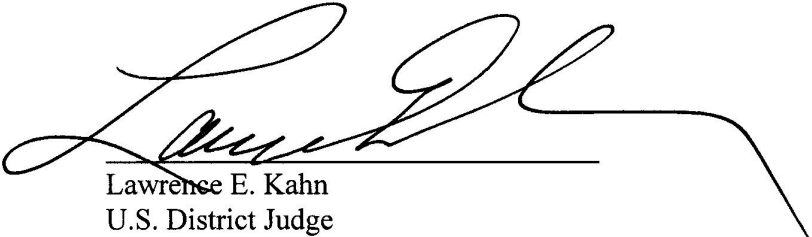
ORDERED, that this case is remanded for expedited rehearing pursuant to the Sixth Sentence of 42 U.S.C. § 405(g), with a return to this Court, if necessary, within four to six months; and it is further

ORDERED, that Plaintiff's counsel continue to serve as *pro bono* counsel for Plaintiff upon his return to the Social Security Administration; and it is further

ORDERED, that the Clerk serve a copy of this Order on the parties.

IT IS SO ORDERED.

DATED: August 04, 2011
Albany, New York



Lawrence E. Kahn
U.S. District Judge